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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,786	08/06/2001	Manfred Angermayr	449122007900	7945
25227	7590	04/23/2004	EXAMINER	
MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 300 MCLEAN, VA 22102			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	6

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/890,786

Applicant(s)

ANGERMAYR ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3, 4</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because they are written in German instead of English. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 1-7 are objected to because the use of acronyms that are not meaningful for their correspondent English names, for example, LSx is known as the acronym for Link Sets or Link Selections rather the intended acronym for signaling line groups. Appropriate correction is required.

### ***Specification***

3. The abstract of the disclosure is objected for the same reasons as discussed above with respect to the claims. Correction is required. See MPEP § 608.01(b).

The disclosure is objected for the same reasons as discussed above with respect to the claims.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S. Patent 5,271,003).

Regarding claims 1-4, Lee et al. teach an internal routing method in an internal network for improving signaling message processing capability by balancing the workload among message handling processors (MHP) in common channel signaling system comprising: a number of signaling terminals for receiving and sending through signaling data links, destination point code (DPC); establishing a routing table within each of the user part processors and each of the signaling terminals so that the signaling messages may be distributed equally to all active message handling processors, on the basis of the remnant obtained when the message handler selection code is divided by the number of the active MHP and performing the routing to the MHP from a selected one of the user part processors and the signaling terminals (col. 4, lines 4-57). Furthermore, Lee et al. teach the steps of reassigning the signaling messages of failed MHP to other available MHP in this case the parts of the MHP are failed so that the signaling messages of the failed MHP may be distributed equally to the other available MHP on the basis of the quotient obtained when the message handler selection code is divided by the number of available MHP (col. 4, line 58 through col. 6, line 50).

However, Lee et al. do not detailing suggest the steps of setting up an actual route such as: defining n signaling line groups to be used in m actual routes to the destination addresses and n x m associated route meters are initialized; calculating set

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point meter readings; calculating relative deviations from the respective n set point meter readings; determining m route meters with the greatest relative deviations for different signaling line groups; assigning m signaling line groups to the actual routes in accordance with the determined m route meters.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that every system for improving a load distribution has its own calculating algorithm for setting up and selecting an actual route, but the main purpose is to reduce the overflowed signaling traffic by balancing the workload and changing the routing when congestion happens in the common channel signaling system.

Claims 5-7 are rejected for the same reasons as discussed above with respect to claims 1-4. Furthermore, Lee et al. do not detailing suggest the steps of selecting an actual route.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Angenot et al (U.S. Patent 5,650,998) teach a method for balancing traffic among parallel links connecting two signaling points of a Common Channel Signaling System (SS7) when one or more of the links becomes unavailable. Christie et al. (U.S. Patent 6,535,483) teach a system and method for providing enhanced services for a call that is transported from a communication device through an asynchronous transfer mode system. Dendi et al. (U.S. Patent 6,208,57) teach a programmable gateway for processing protocol conversion for a virtual bearer channel platform.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
April 15, 2004

  
**AHMAD MATAR**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**